

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**THURSDAY, MAY 14, 2009.**

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# JOURNAL OF THE HOUSE.

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Thursday, May 14, 2009.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

## *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Fagan of Taunton) congratulating the Holy Ghost Society on the occasion of its seventy-fifth anniversary;

Holy Ghost  
Society.

Resolutions (filed by Mr. Rushing of Boston) congratulating Norman Knight for fifty years of service to the Hundred Club of Massachusetts; and

Norman  
Knight.

Resolutions (filed by Messrs. Walsh of Lynn and Fennell of Lynn) in honor of the hundredth anniversary of Lynn Classical High School;

Lynn Classical  
High School.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the Rules, in each instance, on motion of Ms. Peisch of Wellesley, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

## *Petitions.*

Mr. Smith of Everett presented a petition (accompanied by bill, House, No. 600) of Stephen Stat Smith (with the approval of the mayor and city council) relative to voting precincts in the city of Everett; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Methuen,—  
building  
lease.

Mr. Curran of Springfield presented a petition (subject to Joint Rule 12) of Sean Curran for legislation to establish a sick leave bank for Maria Natal, an employee of the Department of Revenue; and the same was referred, under Rule 24, to the committee on Rules.

Maria Natal, —  
sick leave bank.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the

report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

*Paper from the Senate.*

A Bill establishing a sick leave bank for Nancy Morrison, an employee of the Department of Correction (Senate, No. 2048) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under rule 7A, to the committee on Steering, Policy and Scheduling.

Nancy Morrison,—  
sick leave bank.

Subsequently Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Peterson of Grafton, the bill was read a second time forthwith; and it was ordered to a third reading.

*Reports of Committees.*

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2732, a Bill to promote sales tax fairness for main street retailers (House, No. 4115). Read; and referred, under Rule 33, to the committee on Ways and Means.

Retailers,—  
sales tax.

By Mr. Moran of Boston, for the committee on Election Laws, on a petition, a Bill validating a certain election in the town of Orange (House, No. 4058).

Orange,—  
election.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill relative to betterments in the town of Dracut (House, No. 3833).

Dracut,—  
betterments.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill authorizing the Department of Fish and Game to acquire [sic] conservation land in and to lands owned by the city of Fitchburg (House, No. 3848), be scheduled for consideration by the House.

Fitchburg,—  
conservation  
land.

Under suspension of Rule 7A, on motion of Ms. Provost of Somerville, the bill was read a second time forthwith; and it was ordered to a third reading.

Mr. Murphy of Burlington, for the committee on Ways and Means, on a message from His Excellency the Governor (House, No. 4109), reported, in part, a Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing

Supplementary  
appropriations.

appropriations and for certain other activities and projects (House, No. 4114), which was read. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kulik of Worthington, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Brownsberger of Belmont, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

#### *Orders of the Day*

##### House bills

Establishing a sick leave bank for Sheila Ferreira, an employee of the Trial Court (Senate, No. 2046);

Second  
reading  
bills.

Designating a certain structure in the town of Salisbury as the Paul H. Sullivan Sun Shade Deck (House, No. 714);

Establishing a sick leave bank for Tanya M. Dubois, an employee of the Trail Court (House, No. 1683);

Authorizing the town of Norton to transfer certain park land (House, No. 3697);

Relative to the town of Norton Water and Sewer Commission (House, No. 3698); and

Establishing a sick leave bank for Michael F. Doiron (House, No. 4071).

Severally were read a second time; and they were ordered to a third reading.

The House Bill to further prevent oil spills in Buzzards Bay (House, No. 3855) was read a second time.

Buzzards  
Bay.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4103),— was adopted.

The substituted bill then was ordered to a third reading.

#### *Recesses.*

At a seventeen minutes after eleven o'clock A.M., on motion of Mr. Jones of North Reading (Mr. Kafka of Stoughton being in the Chair), the House recessed until a quarter before two o'clock P.M.; and at twelve minutes before two o'clock, the House was called to order with Mr. Kafka in the Chair.

Recesses.

The Chair (Mr. Kafka) then declared a further recess, subject to the call of the Chair; and at five minutes before four o'clock P.M., the House was called to order with Mr. Kafka in the Chair.

*Emergency Measure.*

The engrossed Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4114), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Supplementary  
appropriations.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered*, That when the House adjourns today, it adjourn to meet the following Monday at eleven o'clock A.M.

Next  
sitting.

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At a quarter after four o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.